

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

STENIO and RAQUEL DESOUZA,	:	
	:	
Plaintiffs,	:	
v.	:	
	:	CIVIL ACTION NO. 05-7878
J.N. CARPENTRY, INC., et. al.,	:	
	:	
Defendants	:	JURY TRIAL DEMANDED

Plaintiffs' Motion for Enlargement of Time

Pursuant to Rule 16(e) of the Federal Rules of Civil Procedure, Plaintiff requests an Enlargement of Time due to the following circumstances:

1. Plaintiffs' counsel's mother passed away today, August 8, 2008, after a prolonged illness. Plaintiffs' counsel is the family member responsible for the arrangements after his mother's death such as legal matters and funeral arrangements. This is the reason for the requested enlargement of time in regard to this above captioned matter.

2. On November 28, 2006, Plaintiffs' counsel's mother was hospitalized and had remained so to date, albeit prior to death in hospice care. Her hospitalization commenced at Pennsylvania Hospital in Philadelphia until transfer to Abington Memorial Hospital on December 9, 2006 where she remained as an inpatient until Monday, January 8, 2007. On January 8, 2007, she was transferred to a skilled nursing facility. Before her hospitalization, she lived independently with her husband. Her hospitalization and subsequent death were related to kidney failure and multiple heart attacks. Plaintiffs' counsel has received a prior extension.

3. On January 8, 2007, Plaintiffs' Counsel's mother, an amputee, was transferred to a skilled nursing facility. Plaintiffs' Counsel was involved with assisting his father, age 86, in making arrangements and decisions regarding her care up until her death and now after.

4. As a result of this personal matter, Plaintiffs' counsel has needed to adjust his practice, which he has done by obtaining Court extensions in several matters. He received two extensions from the Pennsylvania Supreme Court. One of the extensions was granted nunc pro tunc. He also received other extensions from the Pennsylvania Commonwealth Court and the Lackawanna Court of Common Pleas. Notwithstanding same, he has proceeded on two civil matters, a products liability case, and a premises liability (amusement park ride) matter, in Philadelphia Common Pleas and in Federal Court for the Eastern District of Pennsylvania. The Federal matter was scheduled for trial March 5, 2007 and the Philadelphia state court matter was scheduled for trial on March 16, 2007. These matters have since resolved.

5. Due to these unforeseen circumstances, Plaintiffs' counsel respectfully requests that the Court extend all deadlines, discovery, experts and mediation for 45 days. Exhibit "A" is the current order.

6. The current mediation conference is scheduled for August 28, 2008 at 10 am. Plaintiffs' counsel request this conference be extended by 45 days to October 14, 2008. The mediation statements are due August 14, 2008. Plaintiffs' counsel requests the mediation statements deadline to be extended 45 days to September 30, 2008.

Respectfully submitted,

BY: /s/ Gary W. Aber
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DATED: August 11, 2008

CERTIFICATE OF SERVICE

This will certify that a true and correct copy of the foregoing document was served by first-class mail, postage pre-paid, on this 11th day of August 2008, to the following:

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